



Liechtenstein

Country Reports on Human Rights Practices - [2001](#)

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The Principality of Liechtenstein is a constitutional monarchy and a parliamentary democracy. The reigning Prince is the head of state; all legislation enacted by the popularly elected Parliament (Landtag) must have his concurrence. The Parliament elects and the Prince appoints the members of the Government and of the independent judiciary.

The Interior Ministry effectively oversees the regular and auxiliary police forces, which are responsible for internal and external security. There is no standing military force.

Liechtenstein has a prosperous, highly industrialized, free-enterprise economy with a vital service sector. It participates in a customs union with Switzerland and uses the Swiss franc as its national currency. As a member of the European Economic Area (EEA), its 32,863 citizens enjoy a very high standard of living. The gross domestic product in 1998 was approximately \$730 million (1.2 billion Swiss francs), which provides citizens with a high standard of living. Unemployment remained low, around 1.1 percent, during the year.

The Government generally respected the human rights of its citizens, and the law and judiciary provide effective means of dealing with individual instances of abuse. There were instances of violence against women. The Government continued to work to eliminate societal discrimination against women.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

There were no reports of the arbitrary or unlawful deprivation of life committed by the Government or its agents.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits such practices, and there were no reports that government officials employed them.

Prison conditions generally meet international standards. Men and women are held separately. Facilities are available to house juveniles separately from adults in a pretrial detention facility, but there were no cases of juvenile imprisonment during the year. If a juvenile were to be convicted of a crime requiring imprisonment, the juvenile also could be transferred to a juvenile facility in Austria. Pretrial detainees are held separately from convicted criminals.

The Government permits visits by independent human rights monitors. A Council of Europe group visits the prison every 2 years; the last visit occurred in 2000.

d. Arbitrary Arrest, Detention, or Exile

The law prohibits arbitrary arrest and detention, and the Government generally observes these prohibitions. Within 24 hours of arrest, the police must bring suspects before an examining magistrate, who must either file formal charges or order release. The law grants suspects the right to legal counsel of their own choosing; counsel is provided at government expense to indigents. Release on personal recognizance or bail is granted unless the examining magistrate has reason to believe that the suspects are a danger to society or will not appear for trial.

Neither the law nor the Constitution prohibits forced exile, but the Government does not use it.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary, and the Government generally respects this provision in practice.

The judicial system has three tiers: Lower court; high court; and Supreme Court. The court of first instance is the National Court. In addition an Administrative Court hears appeals against government decisions. The State Court protects the rights accorded by the Constitution, decides conflicts of jurisdiction between the law courts and the administrative authorities, and acts as a disciplinary court for members of the Government.

The Constitution provides for the right to a fair public trial, and an independent judiciary generally enforces this right. Citizens have the right to appeal, ultimately to the Highest Court (Oberste Gericht). Trials involving minor offenses are heard by a single judge, more serious or complex cases by a panel of judges, and the most serious cases (including murder) by a public jury.

The Constitution authorizes the Prince to alter criminal sentences or pardon offenders. However, if the offender is a member of the Government and is sentenced for a crime in connection with official duties, the Prince may take such action only if the Parliament requests it.

There were no reports of political prisoners.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The Constitution prohibits such actions, and the Government generally respects these prohibitions in practice.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press, and the Government generally respects these rights in practice. An independent press, an effective judiciary, and a democratic political system combine to ensure freedom of speech and of the press. A law to maintain and promote diversity in the media took effect in 2000; the Parliament appointed an independent media commission to decide how to distribute approximately \$600,000 (1 million Swiss francs) in government subsidies to the media.

Two daily newspapers are published, each representing the interests of one of the two major political parties, as is one weekly newsmagazine. One state and one private television station broadcast, along with a private radio station, and residents receive radio and television broadcasts from neighboring countries. An information bulletin also is issued by the third party (Freie Liste) represented in Parliament. There are no restrictions on access to the Internet.

Academic freedom is respected.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for the freedoms of assembly and association, and the Government generally respects these rights in practice.

c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.) The Constitution establishes the Roman Catholic Church as the official state church of the country, and its finances are integrated directly into the budgets of the national and local governments. However, the relationship between the State and the Roman Catholic Church was being redefined. As an interim solution, the State's financial contributions for 1999, 2000, and during the year were paid into a special account. When a new agreement is reached, the agreed upon amount is to be released to the Catholic Church. The Government gives money not only to the Catholic Church but also to other denominations. The budget is allocated proportionately according to membership numbers. All religious groups enjoy tax-exempt status.

Roman Catholic or Protestant religious education is compulsory in all schools, but the authorities routinely grant exemptions for children whose parents request them.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for these rights and the Government generally respects them in practice.

The law provides for the granting of asylum and refugee status in accordance with the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. The Government cooperates with the U.N. High Commissioner for Refugees and other humanitarian organizations in assisting refugees. The Government provides first asylum; however, the country's lack of an airport or international train station means that it receives few requests. Although the number of asylum requests increased in 1999 and 2000 following passage of the 1998 asylum law, asylum requests during the year dropped to 199.

The Government signed a trilateral readmission agreement with Switzerland and Austria that came into effect on January 1: Persons who enter from Austria or Switzerland without permission are returned to the respective Swiss or Austrian authorities.

By October 2000, 505 of the 748 Kosovars admitted in 1998 and 1999 had left the country voluntarily, 481 of whom agreed to be repatriated before a May 31, 2000, deadline and thus benefited from government financial and material assistance in coordination with Switzerland's refugee repatriation program. Beginning in June 2000, 19 Kosovars were repatriated forcibly, but only 1 was repatriated under police escort. To avoid repatriation, 92 Kosovars disappeared. An additional 36 Kosovars were repatriated during the year. At year's end, 117 Kosovars, whose asylum requests were not approved, remained in the country. Most of those remaining were members of ethnic minorities in their home regions or had health problems.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution provides citizens with the right to change their government peacefully, and citizens exercise this right in practice through periodic, free, and fair elections held on the basis of universal suffrage.

The country is a constitutional monarchy and a parliamentary democracy. The monarchy is hereditary in the male line. The 25-member unicameral legislature is elected every 4 years. Suffrage is universal for adults over age 18, and balloting is secret. Political parties operate freely. Citizens regularly vote on initiatives and referendums.

On August 15, in his National Day Address, Prince Hans-Adam II announced that after months of intensive negotiations a compromise in the debate on constitutional reform had been reached. On September 13, Prime Minister Otmar Hasler confirmed to Parliament that his Government was drafting a bill for Parliament based on the compromise reached between the Prince and the Citizens' Forum. The draft bill, which would increase the executive powers of the monarch, went before Parliament for a first reading in November. Possible further revisions must be discussed with Prince Hans Adam before the bill moves forward for a second reading in Parliament, which had not happened by year's end. If approved by Parliament, the bill then would be presented to voters in a referendum.

The percentage of women in government and politics does not correspond to their percentage in the population, although a growing number of women are active in politics. One of the 5 members of the Cabinet--the Minister for Education, Transport and Communication, and Justice--is female, and 3 other women were elected to the 25-member Parliament in February. Women serve on the executive committees of the major parties.

The Government has taken several steps to promote greater participation by women in politics. Prior to the February parliamentary elections, the Government ran two billboard campaigns to promote female candidates, one encouraging women to run for office, and another calling on voters to support female candidates. In addition the Government organized a series of workshops for female parliamentary candidates. In 2000

following a 1999 convention of women's organizations and political parties, the Government's Bureau for the Promotion of Equal Rights for Women and Men published an action plan, the implementation of which the bureau later discussed with representatives of Government, the political parties, industry, and the media.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A few international and domestic human rights groups in general operate without government restriction, investigating and publishing their findings on human rights cases. Government officials are cooperative and responsive to their views.

The sole local human rights organization, Justitia et Pax, is an informal group of approximately 10 members who monitor prison conditions and assist foreign workers with immigration matters.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The law prohibits discrimination on the basis of race, sex, language, or social status, and the authorities enforce these provisions. The law also prohibits public incitement to violence or public agitation or insult directed against a race, people, ethnic group, or state.

Women

According to the police, there were 11 reported cases of violence against women during the year. The law prohibits all forms of domestic violence, and the Government vigorously enforces the law. In December 2000, Parliament adopted legislation that in cases of domestic violence gives law enforcement agents the right to expel an assailant from the family home and to prohibit the aggressor from reentering the premises. The "Protection from Domestic Violence" law entered into force on February 1. The State may file charges without a complaint from the victim. A women's shelter provided refuge for 23 women and 34 children during the year. The shelter provides refuge for noncitizens as well, and only 6 of the 23 women who used the shelter were citizens. Annual government financing for the shelter was approximately \$150,000 (240,000 Swiss francs). Nongovernmental organizations (NGO's) assume that, as in neighboring countries, trafficking in women occurs; however, no specific cases were documented during the year (see Section 6.f.).

Societal discrimination continued to limit opportunities for women in fields traditionally dominated by men. Men earn more than women, and women generally do not receive equal pay for equal work. In accordance with a 1992 constitutional amendment mandating equality for women, Parliament amended a significant number of laws to provide for equality of treatment, including the citizenship law, the employment law, the law on labor conditions, the tax law, and the divorce law. In 1999 Parliament passed legislation on equal opportunity for women and men that is designed to eliminate discrimination and sexual harassment in the workplace and create conditions that allow both men and women to combine work and family. In 2000 Parliament adopted legislation on the division of retirement benefit claims in the case of divorce, under which the benefit claims accrued during the time of marriage are split between the parties, whether they worked outside the home or not. The new law entered into force on January 1.

The Government has taken additional steps to end discrimination against women. Every year in the spring, the Government adopts an action plan to promote equal opportunity for both women and men, and each fall the Government's Bureau for the Promotion of Equal Rights for Women and Men publishes a progress report. The 2000 action plan concentrated on the education and training of women and on the reintegration of women into working life. From September to November, the Government's Bureau for the Promotion of Equal Rights for Women and Men coordinated an information campaign on the 1999 Equal Opportunity Law. In addition to billboard advertisements and radio spots, the Government published two brochures on the law, one targeted at companies and another aimed at female employees--the latter was sent to all households. No case of gender discrimination had been brought to court under the 1999 Equal Opportunity Law by year's end.

In 1999 the Government signed the optional protocol to the U.N. Convention on the Elimination of All Discrimination Against Women. It ratified the protocol on October 24, and the protocol was scheduled to take effect in January 2002.

Three women's rights groups were active. Their chief concerns were public affairs, information, legal counseling, lobbying, and other political activities.

Children

The Government is strongly committed to children's rights and welfare; it amply funds a system of public education and health care. The Government provides compulsory, free, and universal primary school education for children of both sexes for 9 years, normally until the age of 16. It provides free health care for children under the age of 16.

The Government supported programs to protect the rights of children and matched contributions made to the four NGO's that monitor children's rights. A children and youth service belonging to the Office for Social Services oversaw the implementation of government-supported programs for children.

In February a revision of the Penal Code entered into force that makes the possession of child pornographic material a statutory offense and extends the statute of limitation for sexual offenses against children. In March a special police unit on computer crime that monitors child pornography on the Internet began operations. One instance of illicit possession of child pornography was under investigation by year's end.

In 2000 the Government established a Commission for the Coordination of Professionals in Cases of Sexual Offenses Against Children. The group consists of experts from different backgrounds and focuses on assisting professionals (counselors, therapists, and physicians) who deal with sexual offences against children. There is no societal pattern of abuse against children.

Persons with Disabilities

Although the law does not prohibit expressly discrimination against persons with disabilities, complaints of such discrimination may be pursued in the courts. In December 2000, Parliament amended the law to provide for compensatory payments by the Government to companies that employ persons with disabilities. The new law increases opportunities for their integration into the workforce and promotes their right to be self-dependent. Persons with disabilities are not subject to discrimination in the provision of state services; nor is there societal discrimination against them.

The Government requires that buildings and government services be made accessible, and new public buildings generally meet these provisions; however, some older buildings do not yet fulfill these requirements.

National/Racial/Ethnic Minorities

In its 1998 security report, the Government confirmed the existence of a small number of rightwing extremists, consisting of approximately 20 skinheads between the ages of 20 and 30, and approximately 20 followers of a slightly younger age. A 1999 government survey of 700 young persons indicated that approximately 20 percent of youths expressed ambivalence toward or sympathy for extremist views, while 4 percent supported extremist views. According to the survey, incidents of violence increased in 1999. Rightwing extremists were not publicly active during the year. An October 2000 police report concluded that the problem of rightwing extremists had decreased slightly over previous years.

The law makes it a crime to produce or distribute racist propaganda, deny or trivialize genocide and crimes against humanity, engage in racist or religious discrimination, deny services to a particular group, or support racist organizations. Violations are punishable by a maximum 2-year prison sentence.

In 2000 voters approved a referendum that changed naturalization requirements to facilitate the naturalization of long-term residents, but it required that applicants relinquish their citizenship in other countries.

Section 6 Worker Rights

a. The Right of Association

The law provides that all workers, including foreigners, are free to associate, join unions of their choice, and select their own union representatives, and workers exercised these rights in practice. Due to the country's small size and population, there is only one trade union, which represents approximately 13 percent of the work force; however, the union protects the interests of nonmembers as well.

Workers have the right to strike except in certain essential services. No strikes were reported during the year. The law does not provide specific protections for strikers. Employers may dismiss employees for refusing to work; such dismissals may be contested in the Federal Court (Landesgericht).

Unions are free to form or join confederations and may affiliate with international bodies. The only union is a member of the World Confederation of Labor but is represented on an ad hoc basis by a Swiss union.

b. The Right to Organize and Bargain Collectively

The law provides for the right of workers to organize and bargain collectively. However, collective bargaining agreements usually are adapted from those negotiated by Swiss employers and unions. In accordance with EEA guidelines, domestic labor law requires that employers consult with unions in cases of projected mass dismissals and submit employment contracts in written form.

The law encourages the formation of unions but does not specifically prohibit antiunion discrimination. Instead it states that antiunion discrimination should be avoided.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, and there were no reports that it occurred. NGO's assume that trafficking in women occurs; however, there were no reports of specific cases (see Section 6.f.).

The law does not prohibit specifically forced and bonded labor by children; however, such practices are not known to occur.

d. Status of Child Labor Practices and Minimum Age for Employment

The law generally prohibits the employment of children under 16 years of age. However, exceptions may be made for the limited employment of youths age 14 and over and for those who leave school after completing 9 years of compulsory education (see Section 5). Children ages 14 and older may be employed in light duties for not more than 9 hours a week during the school year and 15 hours a week at other times.

The Government devoted adequate resources and oversight to child labor policies. The Department for Worker Safety of the Office of the National Economy effectively supervised compliance with the law. Inspections by the Department for Worker Safety were adequate. No employers have been fined or imprisoned for violations of the law.

The Government has not ratified International Labor Organization Convention 182 on the worst forms of child labor.

The Government does not prohibit specifically forced and bonded labor by children, but such practices are not known to occur (see Section 6.c.).

e. Acceptable Conditions of Work

There is no minimum wage. In 2000 a total of 47 households depended on public welfare to obtain a yearly minimal income--set at \$10,700 (17,720 Swiss francs) for a 1-person household--and were considered working poor. A total of 443 households received public assistance in 2000.

The law sets the maximum workweek at 45 hours for white-collar workers and employees of industrial firms and sales personnel, and 48 hours for all other workers. The law provides for mandatory rest periods, and with few exceptions, Sunday work is not allowed. Workers over the age of 20 receive at least 4 weeks of vacation; younger workers receive at least 5 weeks.

The law sets occupational health and safety standards, and the Department for Worker Safety of the Office of the National Economy effectively enforces these provisions. The law provides for a hearing in cases in which workers remove themselves from dangerous situations. The law provides for the right of workers to remove themselves from work situations that endanger health or safety without jeopardy to their continued employment.

f. Trafficking in Persons

The law does not prohibit trafficking in persons; NGO's assume that, as in neighboring countries, trafficking in women occurs, but there were no specific reports of trafficking cases during the year. Seven cases of trafficking in persons (assistance with illegal immigration) were reported in 2000; in most of the cases, the traffickers were relatives of illegal immigrants.